

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.23414 of 2005

Dated 23-11-2005

Between:

Puskar Tuneja.

..... PETITIONER

AND

State of Andhra Pradesh, Srikakulam, and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.23414 OF 2005

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ORDER :

Heard the learned Counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents 1 and 2.

This writ petition is filed aggrieved by the alleged action of the respondents in not permitting the petitioner to take away his tipper and poclainers belonging to him as arbitrary and illegal.

It is stated that the petitioner filed O.S.No.608 of 2004 on the file of the Court of the II-Additional Junior Civil Judge, Srikakulam, in which the Court passed an order in I.A.No.800 of 2004 directing the respondents 1 and 2 to provide police aid and also to give protection from obstructions by the third respondent and their men while taking their tippers. It appears that similar order has been passed in I.A.No.840 of 2004 also.

The grievance of the petitioner is that though in pursuance of the said order they were provided police protection, the respondents 1 and 2 have not been permitting the petitioner to take away the tippers and poclainers in question in spite of the fact that the same belong to the petitioner.

The learned Government Pleader for Home under instructions from the respondents 1 and 2 states that the allegation that the respondents 1 and 2 are not allowing the petitioner to take away the tippers and poclainers is not correct. He further states that as per the injunction orders granted by the Court below, the respondents 1 and 2 have provided sufficient protection to the petitioner and they never ordered to stop the vehicles of the petitioner.

In the light of the statement of the learned Government Pleader, no further adjudication is necessary on merits.

Accordingly, recording the statement of the learned Government Pleader, the Writ Petition is disposed of. No costs.

23rd November, 2005.

Note:- CC by tomorrow.

(B/O)

ghn

